IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8913 OF 2005

Sharad Kacheshwar Davange ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents.

WITH

WRIT PETITION NO. 8993 OF 2005

Surendra S. Gupte ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents.

IN BOTH MATTERS:

Mr. P.N. Joshi for the Petitioners

Mr. R.D. Rane, Government Pleader, for the State.

CORAM: V.G. PALSHIKAR, Ag.C.J., &

SMT. NISHITA MHATRE, J.

DATE: JANUARY 9, 2006.

P.C.:-

1. These two petitions impugn the order passed by the Maharashtra Administrative Tribunal, upholding the order of transfer of the petitioners.
2. The basic challenge against the order of the Tribunal was that it has been ordered by a person not having the authority under law to do so. Factually, the petitioners have been transferred within the City of Nashik. In view of this factual position, we see no reason to interfere. The petitions are accordingly dismissed. The petitioners shall be at liberty to raise the question of authority if and when necessary.